

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**PHILADELPHIA INDEMNITY
INSURANCE COMPANY,**

Plaintiff,

v.

**TRUSTEES OF ROWAN-CABARRUS
COMMUNITY COLLEGE,**

Defendant & Third-Party Plaintiff,

v.

**THE JOHN R. MCADAMS COMPANY,
INC.**

Third-Party Defendant.

Case No. 1:22-CV-00041-LCB-JEP

SUPPLEMENTAL JOINT RULE 26(f) REPORT

1. Pursuant to the Court’s August 17, 2022 Order, Plaintiff Philadelphia Indemnity Insurance Company (“Plaintiff”); Defendant/Third-Party Plaintiff Trustees of Rowan-Cabarrus Community College (“RCCC”); and Third-Party Defendant The John R. McAdams Company, Inc. (“McAdams”) submit this Supplemental Joint Rule 26(f) Report.

2. The parties conducted a mediation on January 12, 2023 before mediator Bob Meynardie. The mediation did not resolve this dispute, but the mediation was adjourned. The parties agreed to resume mediation on a mutually acceptable date between April 15, 2023 and May 15, 2023, after the Project at issue is expected to be completed.

3. The parties agree that the current litigation stay should be extended until after the scheduled mediation referenced in Paragraph 2 above is concluded, in order to give the parties an opportunity to resolve this dispute without additional expenditure of attorneys’ fees.

4. In the event the mediation referenced in Paragraph 2 above is not successful, the parties propose to the Court the following discovery plan: Discovery will be needed on the claims in the Complaint, the Third-Party Complaint, and all of the defenses and denials in the Answers of the parties to those documents. The parties reserve the right to conduct discovery on additional subjects relevant to the claims and defenses on matters revealed through further discovery or investigation.

This the 12th day of January, 2023.

Signatures:

/s/ Jeffrey S. Price

Jeffrey S. Price
Manier & Herod, P.C.
1201 Demonbreun Street, Suite 900
Nashville, TN 37203
Telephone: (615) 742-9358
jprice@manierherod.com

*Attorney for Plaintiff Philadelphia Indemnity
Insurance Company*

/s/ Mark P. Henriques

Mark P. Henriques
Womble Bond Dickinson (US) LLP
301 South College Street, Suite 3500
Charlotte, North Carolina 28202
Telephone: (704) 331-4912
Facsimile: (704) 338-7830
Mark.Henriques@wbd-us.com

Kenneth R. Michael
Womble Bond Dickinson (US) LLP
One West Fourth Street
Winston Salem, North Carolina 27101
Telephone: (336) 721-3644
Facsimile: (336) 733-8375
Ken.Michael@wbd-us.com

*Attorneys for Defendant/Third-Party
Plaintiff Trustees of Rowan-Cabarrus
Community College*

/s/Brian Darer

Brian D. Darer

Russell B. Killen

Ethan A. Johnson

PARKER POE ADAMS & BERNSTEIN
LLP

301 Fayetteville Street, Suite 1400

Raleigh, North Carolina 27601

Telephone: (919) 835-4630

Facsimile: (919) 834-4564

russellkillen@parkerpoe.com

briandarere@parkerpoe.com

ethanjohnson@parkerpoe.com

*Attorneys for Third-Party Defendant The
John R. McAdams Company, Inc.*